

THE TRUTH ABOUT THOSE DELEGATES

Roosevelt Contests Instigated to Deceive the Public.

ALL BUT 74 WERE ABANDONED

An Examination of the Facts Shows That the Tribunals Which Decided These Contests in Favor of Mr. Taft Were Right in Every Instance—The Remaining 164 Contests Were Frivolous, and Their Prompt Abandonment Reflects Upon the Genuineness and Validity of the Remainder.

Washington, July 29.—Here are the facts in relation to the contested seats in the Republican national convention. It is a summary of a detailed statement going carefully into all of the cases, a statement so thorough that it takes up 150 pages of printed matter. This statement is signed by Mr. Victor Rosewater, chairman of the former Republican national committee; by Mr. J. H. Devine of Colorado, chairman of the committee on credentials of the Republican national convention, and by Mr. Charles D. Hilles, chairman of the present Republican national committee.

The total number of delegates summoned to the convention under its call was 1,078, with 540 necessary to a choice. Mr. Taft had 561 votes on the first and only ballot and was declared the nominee. There were instituted against 238 of the delegates regularly elected for Taft contests on behalf of Roosevelt. These contests were avowedly instigated not for the purpose of really securing seats in the convention, not for the purpose of adducing evidence which would lead any respectable court to entertain the contests, but for the purpose of deceiving the public into the belief that Mr. Roosevelt had more votes than he really had, as the conventions and primaries were in progress for the selection of delegates. This is not only a necessary inference from the character of the contests, but it was boldly avowed by the chief editor of the newspapers owned by Mr. Munsey, who has been Mr. Roosevelt's chief financial and newspaper supporter. The 238 contests were reduced by abandonment to seventy-four.

The very fact of these 164 frivolous contests itself reflects upon the genuineness and validity of the remainder. The seventy-four delegates include six at large from Arizona, four at large from Kentucky, four at large from Indiana, six at large from Michigan, eight at large from Texas and eight at large from Washington, and also two district delegates each from the Ninth Alabama, the Fifth Arkansas, the Thirteenth Indiana, the Seventh, Eighth and Eleventh Kentucky, the Third Oklahoma, the Second Tennessee and from each of nine districts, the First, Second, Fourth, Fifth, Seventh, Eighth, Ninth, Tenth and Fourteenth of Texas.

CONTESTED DELEGATES AT LARGE.

Arizona. In the Arizona convention there were ninety-three votes. All the delegates—six in number—were to be selected at large. The counties were entitled to select their delegates through their county committee or by primary. In one county, Maricopa, a majority of the committee decided to select its delegates and a minority to have a primary. In other counties there were some contests, and the state committee, following the usage of the national committee, gave a hearing to all contestants in order to make up the temporary roll. There was a clear majority of the Taft delegates among the uncontested delegates. The committee made up the temporary roll and then there was a bolt, sixty-four remaining in the hall and twenty-five withdrawing therefrom. The case of the Taft majority was so clear that it is difficult to understand why a contest was made in Indiana.

In Indiana the four Taft delegates at large were elected in a state convention to which Marion county, in which Indianapolis is situated, was entitled to 128 votes. A primary was held in Indianapolis, at which Taft polled 8,000 and Roosevelt 1,400 votes. This gave Taft 106 delegates in the state convention from Marion county, and if they were properly seated the control of the convention by a large majority was conceded to Taft. Attempt was made to impeach the returns from Marion county by charges of fraud and repeating. These charges were of a general character, without specification except as to one ward out of fifteen wards, and then the impeaching witness admitted he could not claim fraud enough to change the result in that ward. The national committee, upon which there were fifteen anti-Taft men, rejected the Roosevelt contestants and gave the Taft delegates their seats by a unanimous vote. Senator Borah and Mr. Frank B. Kellogg, both Roosevelt men, made speeches in explaining the votes in which they said that the case turned wholly on the Marion county primary, and as there was no evidence to impeach the result certified, the title of the Taft delegates was clear. This is the convention whose proceedings called forth such loud charges of theft and fraud from Mr. Roosevelt.

Kentucky. In Kentucky a contest was filed against only three of the four delegates

at large. The fourth Taft delegate's seat was uncontested. The three contestants admitted they were not elected by the convention which sent the Taft delegates or by any other. They only contended that if the Roosevelt forces had had a majority they would have been elected. There were 2,350 delegates summoned to the convention by its call. There were 449 of these whose seats were contested. If all of these had been conceded to Roosevelt it would have made the Roosevelt vote 297 votes less than a majority. The appeal to the committee on credentials from the decision of the national committee was abandoned, as it ought to have been.

Michigan. In Michigan the state convention had in it about 1,200 delegates. There were only two counties in dispute or contest. One was Wayne county, in which Detroit is situated, and the other was Calhoun county. The evidence left no doubt that the Taft men carried by a very large majority Wayne county, but it was immaterial whether this was true or not, because, leaving out both Wayne county and Calhoun county, the only counties in contest, the Taft delegates outnumbered by several hundred the Roosevelt delegates, and they had a clear majority out of the total number of votes that should have been in the convention. The contest was so weak as to hardly merit recital.

Texas. In Texas there were 249 counties, of which four have no county government. The 245 counties under the call of the convention were allowed to have something over 1,000 delegates, representing them, who were given authority to cast 248 votes. Of the 245 counties there were ninety-nine counties in which the total Republican vote was but 2,000, in fourteen of which there were no Republican voters, in twenty seven of which there were less than ten each and in none of which was there any Republican organization and in none of which had a primary or convention been held. It was shown that Colonel Cecil Lyon, to whom had been assigned as referee the disposition of the patronage of the national Republican administration for ten years in the state, had been in the habit of controlling the Republican state convention by securing from two federal freeholders in each of these ninety-nine counties a certificate granting a proxy to Colonel Lyon or a friend of his to represent the county as if regularly conferred by a Republican county organization. The national committee and the committee on credentials and the convention after the fullest investigation decided that these ninety-nine counties in which the Republican vote was so small and in which there was no Republican party, no convention, no primary, no organization, was not the proper source for a proxy to give a vote equal to that to be cast by the other 146 counties in which there was a Republican organization and in which primaries or conventions were held. The two committees therefore held such ninety-nine proxies to be illegal and not the basis of proper representation. The two tribunals who heard the case decided that they should deduct the ninety-nine votes from the total of 248 and give the representation to those who controlled the majority of the remainder. The remainder was 152 votes, and out of that the Taft men had carried eighty-nine counties, having ninety votes. This gave to the Taft men a clear majority in the state convention and with it eight delegates at large.

WASHINGTON. The contest in Washington turned on the question whether the Taft delegates appointed by the county committee in King county, in which Seattle is situated, were duly elected to the convention or whether a primary, which was subsequently held and at which Roosevelt delegates were elected, was properly called, so that its result was legal. Under the law the county committee had the power to decide whether it would select the delegates directly or should call a primary. In some counties of the state one course was pursued and in other counties the other. In King county the committee consisted of 250 men, the majority of whom were for Taft, and that majority, acting through its executive committee, selected the Taft delegates to the state convention. Meantime the city council of Seattle had redistricted the city. It before had 250 precincts. Now substantially the same territory was divided up into 281 precincts. The chairman of the county committee was a Roosevelt man. He had been given authority by general resolution to fill vacancies occurring in the committee. A general meeting of the committee had been held after the city council had directed the redistricting of the city, in which it was resolved, the chairman not dissenting, that representatives could not be selected to fill the 31 new precincts until an election was held in September, 1912. Thereafter and in spite of this conclusion the chairman assumed the right by his appointment to add to the existing committee 131 precinct committeemen, and with these voting in the committee it is claimed that a primary was ordered. There was so much confusion in the meeting that this is doubtful. However, the fact is that the Taft men protested against any action by a committee so constituted on the ground that the chairman had no authority to appoint the 131 new committeemen. They refused to take part in the primary, and so did the La Follette men. The newspapers reported the number of votes in the primary to be something over 3,000. The Roosevelt committee showed by affidavit the number to be 6,000 out of a usual total Republican vote of 75,000. The action of the chairman of the committee in

attempting to add 131 precinct men to the old committee was, of course, beyond his power. The resolution authorizing him to fill vacancies, of course, applied only to those places which became vacant after they had been filled and clearly did not apply to 131 new precincts. It could not in the nature of things apply to a change from the old system to a complete new system of precincts created by the city council, because if they were to be filled the entire number of 331 new precincts different from the old must be filled. One system could not be made into the other by a mere additional appointment of 131 committeemen. No lawyer will say that such action by the committee thus constituted was legal. Therefore the action which the lawful committee of 250 took in electing Taft delegates who made a majority in the state convention was the only one which could be recognized as valid.

CONTESTED DISTRICT DELEGATES.

ALABAMA.

Ninth District. The Ninth Alabama contest turned on the question whether the chairman of a district committee had power to fill vacancies, whether a committeeman who had sent his resignation to take effect only in case he was not present, being present, should be prevented from acting as committeeman, and, third, on the identity of another committeeman. The written resolution under which the right of the chairman to appoint to vacancies was claimed showed on its face that the specific authority was written in in different writing and different colored pencil between the lines. A number of affidavits were filed by committeemen who were present when the resolution was passed to show that the resolution contained no such authority. This gave rise to a question of fact upon which a very large majority of both the national committee and the committee on credentials held that the lead pencil insertion was a forgery, that the chairman did not have the authority therefore to appoint to the vacancies, and therefore the action of his committee was not valid. This made it necessary to reject the contestants. The committee decided the two other issues of fact before them in favor of the Taft contention, although the first decision was conclusive.

ARKANSAS.

Fifth District.

In the Fifth Arkansas the question was one of the identity of one faction or the other as the Republican party. This convention followed the example of the convention of 1908 in holding that what was known as the Redding faction was not the Republican party, that it was a defunct organization and had only acquired life at the end of each four years for the purpose of using it in the national convention. The contestants were therefore rejected. It was shown that the other or Taft had been in active existence as the Republican party, had nominated a local ticket and had run a congressman.

CALIFORNIA.

Fourth District.

The Fourth California presented this question: Under the state law the delegation, two from each district, was elected on a general ticket, in a group of twenty-six. Each delegate might either express his presidential preference or agree to vote for the presidential candidate receiving the highest number in the state. In the Fourth district the two candidates from that district on the Taft ticket expressed a preference for Taft, but did not agree to vote for the candidates having the highest state vote. These Taft delegates in the Fourth district received a majority of 200 more than the Roosevelt delegates in that district. The national call forbade any law or the acceptance of any law which prevented the election of delegates by districts. In other words, the call of the national convention was at variance with the state law. The state law sought to enforce the state unit rule and required the whole twenty-six delegates to be voted for all over the state, assigning two to each district on the ticket to abide the state wide election, while the Republican national convention has insisted upon the unit of the district since 1880. That has been the party law. This convention recognized the party law and held it to be more binding than that of the state law and allowed the two delegates who had received in the Fourth district a vote larger than their two opponents assigned to that district, to become delegates in the convention. This was clearly lawful, for a state has no power to limit or control the basis of representation of a voluntary national party in a national convention. The fact that President Taft by telegram approved all the twenty-six delegates as representing him is said to be an estoppel against his claiming the election of two of those delegates in their Fourth district. What is there inconsistent in his approving the candidacy of all his delegates and the election of two of them? Why should he be thus estopped to claim that part of the law was inoperative because in conflict with the call of the convention?

INDIANA.

Thirteenth District. In the Thirteenth Indiana there was no question about the victory of the Taft men, because the temporary chairman representing the Taft side was conceded to have been elected by one-half a vote more than the Roosevelt candidate. This one-half vote extended through the riotous proceedings, and although it was not as wide as a barn door it was enough. The chairman put the question as to electing the Taft delegates, and after continuous objection lasting three hours declared the

vote carried. The Roosevelt men thus prevented a roll call and then bolted.

KENTUCKY.

Seventh District.

In the Seventh Kentucky district the total vote of the convention was 113. There were contests from four counties, involving ninety-five votes. According to the rules of the party in Kentucky, where two seats of credentials are presented those delegates whose credentials are approved by the county chairman are entitled to participate in the temporary organization. On the temporary roll the Taft chairman was elected by ninety-eight votes and forty-seven votes were cast for the Roosevelt candidate. The committee on credentials was then appointed, consisting of one member named by each county delegation. The majority report of the committee was adopted unanimously by the convention, no delegation whose seats were contested being permitted to vote on its own case. As soon as the majority report of the credentials committee had been adopted, the Roosevelt adherents bolted. There was not the slightest reason for sustaining the contest for Roosevelt delegates.

Eighth District.

The Eighth Kentucky district was composed of ten counties having 163 votes, of which eighty-two were necessary to a choice. There was no contest in five of the counties, and although the Roosevelt men claimed that there was one in Spencer county no contest was presented against the seating of the regularly elected Taft delegates from that county. This gave the Taft delegates eighty-four votes, or two more than were necessary for a choice. In other words, assuming that the Roosevelt men were entitled to all the delegates from the counties in which they filed contests in the district convention there remained a clear majority of uncontested delegates who voted for the Taft delegates to Chicago.

OKLAHOMA.

Third District.

In the Third Oklahoma district the question of the validity of the seats of the delegates turned on the constitution of the congressional committee, which was made up of twelve Taft men and seven Roosevelt men. The chairman, Cochran, was a Roosevelt man and attempted to prevent the majority of the committee from taking action. The chairman was removed and another substituted, and thereupon the convention was duly called to order on the temporary roll prepared by the congressional committee, which was made the permanent roll, and the two Taft delegates to Chicago were duly selected. Every county in the district had its representation and vote in the regular convention, and no person properly accredited as a delegate was excluded or debarred from participating in its proceedings. Cochran and his followers bolted after his deposition. Assuming that all the committee who went out with him had the right to act on the committee, it left the committee standing twelve for Taft and seven for Roosevelt, so it was simply a question whether a majority of the committee had the right to control its action or a minority. The bolting convention which Cochran held was not attended by a majority of the duly elected delegates to the convention. It did not have the credentials from the various counties, and its membership was largely made up of bystanders who had not been duly accredited by any county in the district. Its action was entirely without authority.

TENNESSEE.

Second District.

In the Second Tennessee district there were fifty-nine delegates uncontested out of a possible total of 108 in the convention. There were forty-nine contested. The Roosevelt contestants in the forty-nine refused to abide the decision of the committee on credentials and withdrew, leaving fifty-nine uncontested delegates. These fifty-nine delegates, part of whom were Roosevelt men, remained in the convention, appointed the proper committees, settled contests and proceeded to select Taft delegates. There can be no question about the validity therefore of their title.

TEXAS.

First District.

The only remaining districts are the nine districts from Texas. Of these the first district was composed of eleven counties, each county having one vote, except Cass county, which had two. The executive committee, composed of one representative from each county, made up the temporary roll, and in the contests filed from two counties sent both delegates with one-half vote each. The convention elected the two Taft delegates, giving them ten and one-quarter votes. Each county was represented in this vote. A minority representing one and three-quarters votes bolted the regular convention and held a rump meeting. The national committee by unanimous vote decided the contest in favor of the Taft delegate.

Second District.

In the Second Texas district there were fourteen counties. Two counties were found not to have held conventions and one county to have no delegate present. The convention was then constituted by the delegations that held regular credentials. The report of the committee on credentials was accepted upon roll call, and then the representatives of five counties withdrew from the hall. The representatives of four of these counties held a rump convention. The regular convention remained in session several hours, appointed the usual committees, which retired and made their reports, which were accepted, and elected two Taft delegates to the national convention and certified their election in due

(Continued on Page Seven.)

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